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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,051	04/13/2004	Richard Soltys	110184.411	4088
68100 7590 11/01/2007 SEED INTELLECTUAL PROPERTY LAW GROUP, PLLC 701 FIFTH AVENUE SUITE 5400 SEATTLE, WA 98104			EXAMINER RADA, ALEX P	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 11/01/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/823,051

Applicant(s)

SOLTYS ET AL.

Examiner

Alex P. Rada

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-26 and 28-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-26 and 28-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :7/12/04;9/23/04;11/12/04;1/10/05;3/21/05;12/07/06;4/12/07.

DETAILED ACTION

Election/Restrictions

In response to the Election/Restriction filed September 14, 2007 wherein applicant elects group II, claims 22-26 and 28-32, cancels claims 1-21, withdrawn claims 33-36, 38-40 and 50-52 and claims 22-26 and 28-32 are pending in this application.

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the first antenna is positioned to electro-magnetically interrogate a number of playing cards in the receptacle simultaneously interrogate the playing cards one at a time, as each of the playing cards is in the receptacle as recited in claims 25-26 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and

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informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 22-26 and 28 are rejected under 35 U.S.C. 102 (e) as being anticipated by Fujimoto et al. (US Pub. No. 2003/0064774).

Regarding claim 22, Fujimoto et al (Fujimoto) discloses a playing card reader comprising: a housing having a receptacle sized to receive a plurality of playing cards (figure 2; item 15 wherein a housing is shown); a transmitter received in the housing (paragraph [0033]); a receiver received in the housing (paragraph [0033]); and at least a first antenna electrically coupled to at least one of the transmitter and the receiver, the first antenna positioned to electro-magnetically interrogate at least some of the playing cards (summary and paragraphs [0033-0034]).

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Regarding claim 23, Fujimoto discloses wherein the first antenna is positioned to electro-magnetically interrogate the playing cards one at a time, as each of the playing cards is removed from the housing (paragraphs [0033-0034]).

Regarding claim 24, Fujimoto et al discloses wherein at least a portion of the housing comprises a radio frequency barrier positioned between the receptacle and an exit of the housing, and the first antenna is positioned with respect to the radio frequency barrier and the exit to electro-magnetically interrogate the playing cards one at a time, as each of the playing cards is removed from the housing (paragraphs [0033-0034]).

Regarding claims 25-26, Fujimoto discloses wherein the first antenna is positioned to electro-magnetically interrogate a number of the playing cards in the receptacle simultaneously (paragraph [0037]; wherein the recording section records information on the contents of the games such as the rules of game, card combinations etc.).

Regarding claim 28, Fujimoto discloses wherein the transmitter and the receiver take the form of a transceiver (paragraph [0033]).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 29-30 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujimoto et al. (US Pub. No. 2003/0064774) in view of McCrea, Jr. (US 6,346,044).

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Regarding claim 29, Fujimoto discloses a card reader having a wireless transmitter and receiver coupled to at least a first antenna to electro-magnetically interrogate playing cards (paragraphs [0033-0034]); and a computing system coupled to receive data from the wireless card reader, and the computer system including a computer-readable medium storing a mapping that uniquely identifies playing cards based on a random distribution of conductive material carried by each of the playing cards (paragraph [0037]; wherein the recording section records information on the contents of the games such as the rules of game, card combinations etc.). Fujimoto is silent in regards to a chip reader having at least one wireless transmitter and receiver coupled to a plurality of antennas positioned proximate to respective wagering placement areas to electro-magnetically interrogate wagering chips placed at the wager placement areas.

Regarding claim 30, Fujimoto discloses a card shoe having a receptacle sized and dimensioned for holding a plurality of playing cards, wherein the card reader is housed in the card shoe (figure 1 and paragraph [0034]).

Regarding claim 32, Fujimoto discloses a dealer's hand reader having at least one wireless transmitter and receiver coupled to at a plurality of antennas positioned to electro-magnetically interrogate at least one playing card forming a dealer's initial hand when positioned proximate thereto, the dealer's hand reader coupled to the computing system to provide data thereto (figure 1 items 18, 3B and paragraph [0035]).

McCrea, Jr. (McCrea) discloses a chip reader having at least one wireless transmitter and receiver coupled to a plurality of antennas positioned proximate to respective wagering placement areas to electro-magnetically interrogate wagering chips placed at the wager placement areas and a wireless chip reader (col. 8, lines 48-61). By having a chip reader combined with a card reader, one of ordinary skill in the art would combine prior art known methods to yield to predictable results of

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providing a fully automated accounting system for accurately and automatically monitoring and recording all gaming chip transactions in a casino, thus reducing theft and fraud within a casino.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Fujimoto to include a chip reader having at least one wireless transmitter and receiver coupled to a plurality of antennas positioned proximate to respective wagering placement areas to electro-magnetically interrogate wagering chips placed at the wager placement areas and a wireless chip reader as taught by McCrea to combine prior art known methods to yield to predictable results of providing a fully automated accounting system for accurately and automatically monitoring and recording all gaming chip transactions in a casino, thus reducing theft and fraud within a casino.

6. Claim 31 rejected under 35 U.S.C. 103(a) as being unpatentable over Fujimoto et al. (US Pub. No. 2003/0064774) in view of McCrea, Jr. (US 6,346,044) as applied to claim 29 above, and further in view of French (5,735,742).

Regarding claim 31, Fujimoto in view of McCrea disclose the claimed invention as discussed above but is silent in regards to a chip tray; and a chip tray reader having at least one wireless transmitter and receiver coupled to at a plurality of antennas positioned in the chip tray to electro-magnetically interrogate wagering chips placed at the chip tray, if any, the chip tray reader coupled to the computing system to provide data thereto.

French discloses a gaming tracking system having a chip tray; and a chip tray reader having at least one wireless transmitter and receiver coupled to at a plurality of antennas positioned in the chip tray to electro-magnetically interrogate wagering chips placed at the chip tray, if any, the chip tray reader coupled to the computing system to provide data thereto (col. 7, lines 18-30). By having

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a chip tray reader, one of ordinary skill in the art would provide an accounting system that accurately and automatically monitors and records all gaming chip transactions various casino games.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Fujimoto to further include a chip tray; and a chip tray reader having at least one wireless transmitter and receiver coupled to at a plurality of antennas positioned in the chip tray to electro-magnetically interrogate wagering chips placed at the chip tray, if any, the chip tray reader coupled to the computing system to provide data thereto as taught by French to provide an accounting system that accurately and automatically monitors and records all gaming chip transactions various casino games.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex P. Rada whose telephone number is 571-272-4452. The examiner can normally be reached on Monday - Friday, 08:00-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Robert E. Pezzuto
Supervisory Patent Examiner
Art Unit 3714


APR